

By permission—

Mr. Hooker introduced:

Senate Bill No. 233:

A bill to be entitled an act authorizing the county commissioners of Polk county to call an election to vote a special road tax for roads in the several road districts of said county; and providing how the revenue shall be expended;

Which was read the first time by its title and referred to the Committee on Judiciary.

Mr. Broome moved that the Senate do now adjourn;

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock to-morrow morning.

THURSDAY, MAY 13, 1897.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Messrs. Adams, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Roberts, Thomas and Williams—27.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was corrected and approved.

Senator Wadsworth was excused on account of illness.

A message was received from the Governor.

Introduction of Bills.

By Mr. Myers:

Senate Bill No. 234:

A bill to be entitled an act to amend section 5 of an act entitled an act to prescribe the powers of the boards of commissioners and port wardens in and for the ports of this State, approved June 12, 1891;

Which was read the first time by its title and referred to the Committee on Commerce and Navigation.

By Mr. Myers:

Senate Bill No. 235:

A bill to be entitled an act to amend section 957 of the Revised Statutes of Florida, providing for the appointment of harbor masters for certain ports;

Which was read the first time by its title and referred to the Committee on Commerce and Navigation.

By Mr. Dougherty (by request):

Senate Bill No. 236:

A bill to entitled an act to prescribe the effect of limitations ever upon the dying "without heirs," or "without heirs of the body," or "without issue," or "without issue of the body," or "without children," or "without offspring," or "without descendant or other relative";

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Dougherty (by request):

Senate Bill No. 237:

A bill to be entitled an act to protect minors under sixteen years of age from inhumanity and cruelty;

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Dougherty (by request):

Senate Bill No. 238:

A bill to be entitled an act to regulate the conveyance of the title to real property;

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Hendley (by request):

Senate Bill No. 239:

A bill to be entitled an act to amend sections 1 and 2 of chapter 4406 of the Laws of Florida, entitled an act to regulate the terms of county courts in this State, and to prescribe the duties and compensation of the officers thereof;

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Hendley (by request):

Senate Bill No. 240:

A bill to be entitled an act to prohibit the catching or taking of fish with gill nets or seines from the waters of the Homosassa river and its tributaries;

Which was read the first time by its title and referred to the Committee on Fisheries.

By Mr. Hendley:

Senate Bill No. 241:

A bill to be entitled an act to regulate proceedings on appeals from county judge's court and courts of justices of the peace;

Which was read the first time by its title and referred to the Committee on Judiciary.

Mr. Blich of 21st moved that the messages from the House of Representatives be spread upon the Journal without reading, but that the bills therein be read the first time by title and referred;

Which was agreed to.

Messages from the House.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 12, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Concurrent Resolution No. 50:

Relating to the election of United States Senators by the people.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 50, contained in the above message, was read the first time and laid over under the rules until to-morrow.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 11, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 51:

A bill to be entitled an act to amend section 9 of an act establishing a fine and forfeiture fund in the several counties, regulating the "payment of criminal costs, authorizing a special tax for said costs, and providing for the feed of prisoners, and the hire of convicts," approved April 20, 1895.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 51, contained in above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 11, 1897. }

HON. CHAS. J. PERRENOT,

President of Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 176:

A bill to be entitled an act for the protection and preservation of the natural or public oyster beds within the jurisdiction of the county of Franklin, State of Florida.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 176, contained in the above message, was read the first time by its title and referred to the Committee on Fisheries.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 11, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 180:

A bill to be entitled an act to amend section 1 of an act establishing a fine and forfeiture fund in the several counties, regulating the payment of criminal costs, authorizing a special tax for said costs and providing for the feed of prisoners and hire of convicts, approved April 20, 1895, as amended by chapter 4325, Laws of Florida.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

And House Bill No. 180, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA, May 11, 1897. }

HON. CHAS. J. PERRENÔT,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 181:

A bill to be entitled an act for the appointment of fish and game wardens in the various counties of the State of Florida.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

And House Bill No 181, contained in the above message, was read the first time by its title and referred to the Committee on Fisheries.

The following message from the Governor was read:

STATE OF FLORIDA, EXECUTIVE DEPARTMENT, }
TALLAHASSEE, May 13, 1897. }

HON. CHAS. J. PERRENÔT,

President of the Senate:

SIR—I have the honor to acknowledge the reception of the following resolution of the Senate:

"Resolved, That His Excellency, the Governor, be requested to inform the Senate whether or not certain bonds of the States of Alabama and North Carolina, which had been held in the school fund, were sold during the years 1895 or 1896 or at any time during which he filled the office of Comptroller.

Also, That he be requested to inform the Senate, if such sale was made, if it was not for the purpose of providing funds to meet a note or notes of the State; and why, instead of drawing his warrant on the Treasurer, such sale was made.

Further, That he be requested to give the date or dates of the transaction or transactions, and such other information with reference thereto as he may deem it proper to communicate to the Senate, and that a copy of this resolution be transmitted to him."

In response to the above resolution, the following statement is respectfully submitted:

On the 17th of July, 1895, there fell due in the city of New York the obligations of the State amounting to \$100,000. There was also due the same day, on this sum, the semi-annual interest amounting to \$2,500. This money was borrowed under the authority of the Legislature—see chapter 3875, Acts of 1889, and chapter 4018, Acts of 1891.

Under date of July 31, 1895, the Treasurer reported to the Governor that there was in the Treasury to the credit of the general revenue, \$128,730.92. This was the only fund that the \$100,000 due in New York could be paid with, by a warrant from the Comptroller. All other funds in the treasury were specifically designated for certain purposes by law—such as the funds belonging to the schools, board of health, Agricultural College, white and colored normal schools, etc.

Had the Comptroller issued his warrant for the \$100,000, it would have left to the credit of general revenue, only \$28,730.92. Of course we all know that there is little revenue coming to the State Treasury from July until the following February, except that received from licenses, and to have practically exhausted what general revenue we had on hand in July, 1895, would have forced the State to a scrip-basis in less than twenty days, or the State would have been compelled to borrow money to meet her running expenses. Either contingency would have been unfortunate. There were but two alternatives left, renew the loan in New York of the \$100,000, or allow the State Board of Education to take up the indebtedness as an investment for the principal of the school fund. It has always been the policy of the State to have her school funds invested as far as possible in her own securities. The State Board of Education, com-

posed of Governor Mitchell, Treasurer Collins, Attorney-General Lamar, Secretary of State Crawford and Superintendent of Public Instruction Sheats, had long determined to make this investment, as the record of said board will show. Indeed that board tried on October 19, 1893, and again on December 4, 1893, to purchase said obligation of the State, held in New York before it matured, but the holders declined to part with the same before maturity.

The Board of Education held some North Carolina bonds bearing 4 per cent. interest, but as the coupons had to be expressed to Raleigh, N. C. and the money returned, the interest only netted the board (the treasurer informs me), $3\frac{3}{4}$ per cent. The Board therefore concluded to sell \$61,000 of these 4 per cent. North Carolina bonds at par, (no Alabama bonds sold), which only netted them $3\frac{3}{4}$ per cent. interest, and take \$39,000 of the principal of the school fund lying idle in the treasury, and take up the State's obligation of \$100,000 bearing 5 per cent. interest. The wisdom of the transaction can be fully appreciated when we reflect that the school fund which was lying idle in the treasury was thus invested and made to bear interest, and the \$61,000 of North Carolina bonds that only netted the school fund $3\frac{3}{4}$ per cent. interest, was invested in the State's own obligation bearing 5 per cent. interest. The transaction was made through the National Park Bank of New York by the Treasurer of the State, and the record of the same as furnished by the National Park Bank is on file in the treasury subject to your inspection.

The State has the right to pay the \$100,000 to the Board of Education, and take up the obligation whenever she is in a condition to do so.

The condition of the treasury now, or rather on the 30th of April, 1897, as reported by the treasurer, was as follows:

General revenue.....	\$222,270 09
One-mill school tax	52,539 44
State Board of Health.....	8,856 47
School fund, principal.....	13,174 17
Agricultural College fund (deficit, \$715.46, Experimental Station fund).....	2,849 96
Morrill fund (white college).....	5,263 25
Morrill fund (black college).....	4,462 24
School fund, interest.....	627 25
School fund, principal.....	585 46
Sinking fund, bonds 1873.....	547 68
Sinking fund, bonds 1871.....	39 75

Total in treasury April 30, 1897..... \$311,215 76

\$200. We are of the opinion that the land is very cheap at the price, and would be of great benefit to the institution. We recommend its purchase. We recommend an appropriation of \$1,000 to be made for the purpose of providing the improvements above suggested.

About one-half of the white and all of the negro children are clothed.

We visited the culinary department, and found the food plain but substantial, clean and well cooked.

The names of the employes, the salaries paid and the duties of each are as follows:

EXHIBIT A.

Name.	Position.	Amount.
Frederick Pasco.....	Superintendent.....	100 00
Mesa Barnes.....	Teacher of speech.....	60 00
T. Burr May.....	Manual teacher.....	45 00
Mary P. Holland.....	Teacher of blind.....	48 00
Florida M. Walker....	Teacher of negro pupils.....	37 50
Alfred LeKent.....	Teacher of printing, etc.....	\$36 25
Lorenzo G. Thompson	Teacher of carpentry, etc....	30 00
Mrs. H. N. Felkel	Matron	30 00
Mamie R. Andrews	Superintendent of white girls	20 00
Willie Paulding.....	Superintendent of negro girls	15 00
Isaac Hogan	Superintendent negro boys..	15 00
Sophie Stewart	Cook	20 00
Mary Williams	House maid	12 00
Annie Graham	Laundress	12 00
Mary Hogan	Ass'istant laundress	12 00
Total.....		\$492 75

No one who visits the institution can doubt the benefits derived and the good accomplished.

Respectfully submitted,

J. A. HENDLEY,

On the part of the Senate;

F. A. HENDRY,

MORTIMER BATES,

On the part of the House.

Ordered spread upon the Journal.

Mr. Hendley, Chairman of the Special Committee on part of the Senate, submitted the following report:

TALLAHASSEE, FLA., May 13, 1897.

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Joint Committee appointed to investigate and report upon the work of the Florida Coast Line Canal and Transportation Company, beg leave to report as follows:

We find that no work has been done north of Lake Worth since the last report of a joint committee of the House and Senate appointed to examine the work of said Canal and Transportation Company in 1895. In 1890 the work of deepening the Indian river was completed according to the State's specifications, and the canals now inspected and accepted by the engineer of the Board of Trustees of the Internal Improvement Fund. In 1893 about forty miles of canals were cut between Lake Worth and Biscayne Bay. At Sewell's point we found one-fourth mile of shallow water, average about four feet, said to be caused by washing the same through the inlet from the ocean. At Juno your committee found about a mile of work unfinished which opens the canal into Lake Worth, or will do so when completed. The company had a dredge at work and also had about seventy-five men removing the top of the earth in front of the dredge. When this is completed the company will have about three hundred miles of waterway open cut to navigation, leaving only one section to be completed, viz., between Ormond and St. Augustine. The work which your committee inspected south of Lake Worth is very thorough. Miles of solid rock and earth have been removed in opening up the canal. At least thirty miles of these canals were cut through solid rock and muck beds.

Your committee found some portions of the country these canals pass through was once a dreary waste, but by reason of the drainage large bodies of land hitherto worthless, being nothing but swamps and quagmires covered with saw-grass and wild mango groves have been reclaimed, some of which are now in high state of cultivation.

In 1893, after receiving the permission from the Legislature of Florida, the company resigned to the United States government all of its rights on the Indian River between Titusville and Jupiter, and it was understood that some money was appropriated and expended in improving that portion of the canal.

The East Coast Canal Company claims to have nothing to do with this section of the waterway. We found another shallow place at the head of Haulover cut, the water being about four feet deep for a quarter of a mile or more. Also another shallow point where the sand had washed into the channel.

We further state that we find upon examination that lands amounting to 579,000 acres have been conveyed to the canal company.

Your committee can report that the work so far is well done, and we believe that the contract has been complied with, but we call the attention of the canal company to these shallow points above referred to, that have been filled in by the sand washing in from the ocean. These points will have to be gone over again to open up the waterway as it should be.

Your committee beg leave to submit a statement of the work and disposition of the company's lands furnished by said company:

EXHIBIT "A."

STATEMENT OF CANAL WORKS AND DISPOSITION OF COMPANY'S LANDS.

Table Showing Amount of Material Moved, and Its Cost to the Company.

	Cubic yards.	Cost.
Between Juno and Miami.....	2,323,361	\$500,672
Between Juno and Jupiter... ..	481,277	109,255
Between Halifax and north end of Halifax river.....	580,000	140,500
Improving waterway between New Smyrna and Jupiter.....	*	11,300
		<hr/> 761,817
Contingencies and interest on moneys, etc...		114,244
		<hr/> \$875,871

* Record of material moved not kept.

DISPOSITION OF LANDS RECEIVED FROM THE STATE.

100,000 acres sold to Boston and Florida Atlantic Coast Land company for \$1 per acre, and the money received expended on works.

102,000 acres granted to the Florida East Coast Railway company as a subsidy.

94,000 acres now being conveyed to said railway company as an additional subsidy.

82,000 acres sold by Canal company, and all the money received expended on the works.

97,000 acres still owned by the company, which require extensive drainage before being marketable.

TABLE OF DISTANCES OF WORK COMPLETED AND UNDER CONSTRUCTION.

Head of Halifax river to Titusville.....	66 miles.
Titusville to Jupiter.....	132 miles.
Jupiter to Juno.....	11 miles.
Juno to Miami.....	77 miles.
Miami to south end of bay, natural channel.....	30 miles.
Total.....	316 miles.

Your committee also beg to submit a report of John Bradford, State Engineer:

(Copy.)

TALLAHASSEE, FLA., June 16, 1896.

W. M. McINTOSH, JR., Esq.,

Secretary Board Trustees I. I. Fund;

SIR—Pursuant to your instructions, I have inspected that part of the canal of the Florida Coast Line Canal and Transportation company from Lake Worth so Miami, and find the work done in a most thorough manner, the water of the canal being at no point less than five feet deep, nor less than fifty feet wide, and generally it is fifty-five to sixty feet wide, and six to seven feet deep.

The length of the canal from near the north end of Lake Worth to Miami is seventy-seven miles, measurements being taken partly from the surveys of the company's engineer, and partly from the coast survey map. The work at some points has been very heavy, there having been moved by the dredges on this section 2,323,361 cubic yards of earth, shell and rock. To show the capacity of the canal a considerable portion of it has been subjected to a heavy traffic during the past season by a steamer, the Santa Lucia, which is 170 feet long, twenty-eight feet beam, and carrying eight car loads of freight.

Respectfully submitted,

(Signed) JNO. BRADFORD,
State Engineer.

TALLAHASSEE, FLA., June 16, 1897.

W. M. McINTOSH, JR., Esq.,

Secretary Board Trustees, I. I. Fund.

SIR—Being instructed by the Board of Trustees to ascertain if any work has been done on the upper or northern end of the canal since my last report, and also to learn the reason for leaving unfinished work between Jupiter and Lake Worth, I beg to submit this supplementary report.

I learn from Mr. Miles, the general manager, that there has been only a little work done by the dredges improving the canal from New Smyrna to and through the Haulover, about \$3,000 (should be \$11,300 G. F. M.) being expended. The reason of the unfinished work between Jupiter and Lake Worth, is the failure of the contractor. His time being extended six months, he has still failed to finish. I am told that as soon as the dredges can be overhauled and put in repair, they will be placed on this work, of which there yet remains one mile of solid cutting and about the same distance of cut off, straightening Worth Creek.

Respectfully submitted,

(Signed) JOHN BRADFORD.

I hereby certify that the foregoing are true and correct copies of the reports made by John Bradford, State Engineer, June 16, 1896.

(Signed) W. M. McINTOSH, JR.,

Secretary Board of Trustees I. I. Fund of Florida.

Your committee recommend that the company have a limited time to complete the work.

All of which your committee respectfully submit.

J. A. HENDLEY,

On the part of the Senate.

F. R. HENDRY,

MORTIMER BATES,

On the part of the House.

Ordered spread upon the Journal.

Mr. Fuller, Chairman of the Committee on Finance and Taxation, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., May 13, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Finance and Taxation, to whom was referred—

House Bill No. 1:

A bill to be entitled an act to provide for the redemption and relief of lands sold for taxes for which the same were not legally liable.

Beg leave to report that they have examined same, and return it herewith without recommendation.

Very respectfully,

H. W. FULLER,

Chairman Committee on Finance and Taxation.

And House Bill No. 1, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Chipley, Chairman of the Committee on City and County Organization, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., May 13, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 173:

A bill to be entitled an act to incorporate the city of North Tampa, in the county of Hillsborough.

Beg leave to report that they have had the same under careful consideration, and report the same without recommendation.

Very respectfully,

W. D. CHIPLEY,

Chairman Committee on City and County Organization.

And Senate Bill No. 173, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Chipley, Chairman of the Committee on City and County Organization, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., May 13, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 223:

A bill to be entitled an act enabling municipal corporations to enlarge their boundaries.

Have had the same under consideration, and recommend that it do not pass.

Very respectfully,

W. D. CHIPLEY,

Chairman Committee on City and County Organization.

And Senate Bill No. 223, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Chipley, Chairman of the Committee on City and County Organization, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., May 13, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 211:

A bill to be entitled an act to legalize the assessment levy and collections of taxes for the year 1896 by the city of Tampa, and to prescribe the mode of collecting the same.

Also,

Senate Bill No. 220:

A bill to be entitled an act to legalize the incorporation of the city of Miami, in the county of Dade, and to declare the incorporation of said city to be valid and of full force and effect.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. D. CHIPLEY,

Chairman Committee on City and County Organization.

And Senate Bills Nos. 211 and 220, contained in the above report, were placed on the calendar of bills on second reading.

Mr Chipley, Chairman of the Committee on City and County Organization, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 13, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on City and County Organization, to whom was referred—

House Bill No. 252:

A bill to be entitled an act to establish the municipality of Belleair, provide for its government, and prescribe its jurisdiction and its powers.

Beg leave to report that we have examined the same, and recommend that it do pass.

Very respectfully,

W. D. CHIPLEY,

Chairman Committee on City and County Organization.

And House Bill No. 252, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Barber, Chairman of the Committee on Engrossed Bills, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 13, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 78:

A bill to be entitled an act to amend section 255 of the Revised Statutes of the State of Florida, and to define and declare what number of hours shall comprise a school day, approved June 6, 1893.

Beg leave to report that they have carefully examined the same, and find it correctly engrossed.

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 78, contained in the above report, was placed on the calendar of bills on third reading.

Mr. Barber, Chairman of the Committee on Engrossed Bills, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 12, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 168:

A bill to be entitled an act to consolidate and improve the State institutions of learning, and to provide for the further increase and diffusing of knowledge among the people of the State of Florida, and for other purposes.

Also,

Senate Bill No. 144:

A bill to be entitled an act to fix the boundaries of the town of Live Oak, in Suwanee county, Florida, and to authorize said town to make its own valuations of property therein for assessment for municipal purposes.

Beg leave to report that they have carefully examined the same, and find them correctly engrossed.

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bills Nos. 168 and 144, contained in the above report, were placed on the calendar of bills on third reading.

Bills on Second Reading.

Senate Bill No. 101:

A bill to be entitled an act to amend an act entitled an act to require persons killing hogs or sheep for market, to exhibit the marks of such hogs or sheep, being chapter 4186 of the Laws of Florida, approved May 30, 1893,

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

A message was received from the House of Representatives.

Senate Bill No. 124:

A bill to be entitled an act to amend chapter 4180, Acts of 1893, entitled an act to amend section 568 and 578 of the

Revised Statutes of the State of Florida, concerning annuities for disabled soldiers and sailors of the State of Florida,

Was taken up and read the second time together with the amendments offered by the Committee on Commerce and Navigation.

Mr. Hendley moved the adoption of the committee amendments;

Which was agreed to.

Mr. Blich of 21st moved that Senate Bill No. 124 lay on the table subject to call, and that 100 copies be printed for the use of the Senate;

Which was agreed to.

Mr. Dimick moved that he be allowed to call up from the table—

Senate Bill No. 68.

A bill to be entitled an act to extend the time for the completion of the canals and waterways of the Florida Coast Line Canal and Transportation Company from St. Augustine to Biscayne Bay, and to continue all of its grants, rights, and privileges;

Which was agreed to.

And Senate Bill No. 68 was again read the second time in full.

Mr. Dimick offered a substitute for Senate Bill No. 68.

Mr. Dimick moved the adoption of the substitute for Senate Bill No. 68.

Mr. Dimick moved that 200 copies of Senate Bill No. 68, together with substitute, be printed for the use of the Senate, and Senate Bill No. 68 remain on second reading;

Which was agreed to.

Mr. Chipley asked permission to withdraw Senate Bill No. 97, and substitute therefor Senate Bill No. 151, now on its second reading;

Which was granted.

And,

Senate Bill No. 151:

A bill to be entitled an act relating to chattel mortgages,

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

House Joint Resolution No. 16:

Providing for printing 5,000 copies of amended constitution.

Was taken up and read the third time in full, and put on the calendar of bills on third reading.

Senate Bill No. 88:

A bill to be entitled an act to fix the pay of members, offic-

ers and attaches of the regular session of the Legislature of A. D. 1897,

Was taken up and read the second time in full, together with the substitute therefor reported by the minority of the committee.

Mr. McLin offered the following amendment to Senate Bill No. 88:

Strike out all after the enacting clause, and insert the following:

Section 1. That the pay of members of the present Legislature, convened April 6, 1897, shall be a per diem of six (6) dollars a day in addition to mileage at ten (10) cents a mile each way to and from their homes to the seat of government by the most practicable route.

Sec. 2. That the pay of the Secretary of the Senate and the Chief Clerk of the House of Representatives shall be six (6) dollars per diem each. All other clerks elected by the Senate and House of Representatives shall be six (6) dollars per diem each. All committee clerks shall be allowed five (5) dollars per diem each for every day of actual service, the number of days of actual service to be certified by the chairman of the committee. The Sergeant-at-Arms of the Senate and House of Representatives shall each be five (5) dollars per diem. Messengers of the Senate and House of Representatives shall receive five (5) dollars per diem each. Doorkeeper of the Senate and the House of Representatives each shall receive five (5) dollars per diem. Janitor of the Senate and House of Representatives shall receive five (5) dollars per diem each. Pages of the Senate and House of Representatives shall receive four (4) dollars per diem each. Chaplains of the Senate and House of Representatives shall be one hundred (100) dollars each. The Secretary of the Senate and the House of Representatives shall be entitled to 10 days after adjournment to bring up their journals. The Recording Clerk of the Senate and the House of Representatives shall have 10 days to finish their work. The Comptroller is required to issue his warrant in favor of any member, officer or attache of either the Senate or House of Representatives for the amount due him, and the Treasurer shall pay the same out of any moneys in the Treasury not otherwise appropriated.

SEC. 3. That the actual expenses of all members of the various joint visiting committees, and expenses of special committees, be prepared in pay roll form and certified to by the chairman of such committee, and the Comptroller shall issue his warrant for the same.

SEC. 4. This act shall take effect immediately after its passage and approval by the Governor.

Mr. Reeves moved the adoption of the amendment;

Which was agreed to.

And Senate Bill No. 88, as amended, was referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 128:

Senate Joint Resolution proposing an amendment to section 5 of article 8 of the Constitution of the State of Florida, relative to election of County Commissioners.

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

Senate Bill No. 127:

A bill to be entitled an act to incorporate the West Florida Gulf Coast Railway Company,

Was taken up and read the second time in full, together with the amendments offered by the Committee on Railroads.

Mr. Chipley moved the adoption of the committee amendments;

Which was agreed to.

And Senate Bill No. 127, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 148:

A bill to be entitled an act to repeal chapter 4177 of the Laws of Florida, entitled an act concerning County Boards of Health, and to provide for the disposition of funds and effects in possession of County Boards of Health, approved May 25, 1893,

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

Senate Bill No. 130:

A bill to be entitled an act to authorize the city of Palatka to borrow money by issuing bonds for water works and a system of sewerage,

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 138:

Senate Joint Resolution proposing an amendment to section two (2) of article five (5) of the Constitution of Florida relating to the Supreme Court,

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 123:

Senate Joint Resolution proposing an amendment to section 6, of article 8, of the Constitution of the State of Florida, relating to county officers,

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 143:

Senate Joint Resolution proposing an amendment to section one (1) of article ten (10) of the Constitution of the State of Florida, relating to homestead exemptions,

Was taken up and read the second time in full.

Mr. Carson offered the following amendment to Senate Joint Resolution No. 143:

Strike out the words "the exemption herein provided for in a city or town shall not extend to more improvements or buildings than the residence and business house of the owner."

Mr. Carson moved the adoption of the amendment;

Which was agreed to.

And Senate Joint Resolution No. 143, as amended, was referred to the Committee on Engrossed Bills.

Mr. Blitch of 21st moved that he be allowed to substitute Senate Bill No. 176 for Senate Bill No. 48, the next on the calendar, the bills to exchange places;

Which was agreed to.

And;

Senate Bill No. 176:

A bill to be entitled an act to incorporate the town of Williston in the county of Levy,

Was taken up and read the third time in full, and referred to the Committee on Engrossed Bills.

Senate Bill No. 28:

A bill to be entitled an act to amend section 1742 of the Revised Statutes of the State of Florida, relating to the acquisition of liens by persons in privity with the owner, and to amend section 1743 of the Revised Statutes of the State of Florida, relating to the acquisition of liens by persons not in privity with the owner, and to amend section 1744 of the Revised Statutes of the State of Florida, relating to the remedies of lienors against either real or personal property,

Was taken up and read the second time in full.

Mr. Palmer of 11th moved that Senate Bill No. 28 lay on the table; that it be made a special order next Tuesday at 11 o'clock, and that 200 copies of it be printed for the use of the Senate;

Which was agreed to.

Senate Bill No. 99:

A bill to be entitled an act to fix a penalty for horse and cattle stealing,

Was taken up and read the second time in full.

Mr. Carson offered the following amendment to Senate Bill No. 99:

Strike out all after the enacting clause and insert the following.

Section 1. Whoever commits larceny by stealing any horse, mule, mare, filly, colt, cow, bull, ox, steer, heifer or calf, the property of another, shall be punished by imprisonment in the State prison not less than two years, nor more than five years.

Sec. 2. Whoever violates the provisions of section one (1) of this act a second time, and is convicted of such second separate offense either at the same term, or a subsequent term of court, shall be punished by imprisonment in the State prison not less than five years nor more than twenty years.

Sec. 3. All laws and parts of laws in conflict with this act are hereby repealed.

Pending which—

A committee from the House of Representatives announced that the House was ready to receive the Senate in joint session, and to proceed to the election of a United States Senator in joint session.

The hour of 12 o'clock having arrived, the Senate proceeded in a body to the hall of the House of Representatives.

12 O'CLOCK M.

JOINT SESSION, May 13, 1897.

At 12 o'clock the Senate entered the Hall of the House of Representatives, and was received by the House.

President Perrenot in the chair.

The President ordered the Secretary of the Senate to call the roll of the Senate.

Upon call of the roll, the following Senators answered to their names:

Mr. President, Messrs. Adams, Bailey, Barber, Blitch of 20th, Blitch of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hendley, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Roberts, Thomas, Wadsworth and Williams—32.

A quorum present.

The President ordered the roll of the House called.

Upon call of the roll, the following Members answered to their names:

Mr. Speaker, Messrs. Ayer, Baggett, Baker, Ballentine, Bates, Bethel, Blanton, Bunch, Burnsed, Canty, Carlisle, Carter, Chaires, Christie, Cobb, Cox, Dees, Dupree, Dyal, Ellis, Frisbee, Fielding, Fulton, Hardee, Harris, Hendry of Lee, Hendry of Taylor, Hyer, Lamar, Lewis, Linton, McCall, McCreary, Mobley, Morgan of Hamilton, Morgan of Putnam, Owens, Pelot, Pedrick, Pope, Potter, Rawls, Register, Rice, Richbourg, Robertson, Rouse, Shepard of Liberty, Shepard of Orange, Sloan, Spencer, Stanford, Stockton, Street, Thayer, Turner, Wall of Bradford, Wall of Putnam, Ward, Watson, Whitner, Williams, Wilson, Wolff, Young and Zewadski—67.

A quorum present.

The Journal of yesterday was approved.

Mr. Darby offered the following resolution:

Resolved, That it is the sense of this joint assembly that it would be to the present interest of the State and the future interest of the Democratic party that W. D. Chipley and John N. C. Stockton withdraw from the Senatorial contest.

By their doing so there would cease to be factions, and the efforts made and time now given to serve individuals would be devoted to serving the entire people.

Mr. Darby moved the adoption of the resolution.

Mr. Harris moved to lay the resolution on the table;

Which was agreed to.

Mr. Darby moved to reconsider the vote by which his resolution was laid on the table, which motion went over under the rules until to-morrow.

Mr. Blich of 20th offered the following resolution:

Believing that the popular nomination of United States Senator will reflect the wishes of the people, and meet with the approval of our legislative assemblies, and believing it to be the only really satisfactory method where two or more contesting for the same office, therefore be it

Resolved, That it is the sense of this joint assembly that the Democratic Executive Committees of this State shall, at any general election at which members of the House of Representatives are to be elected, who shall have a vote in the election of a United States Senator, provide a separate box in which, by ballot, the members of the Democratic party voting at such election may directly express their choice for United States Senator, and the member of the Legislature elected at such election shall be morally bound to vote in the

Legislature for the candidate for United States Senator receiving in such box the highest vote.

Mr. Blitch of 20th moved the adoption of the resolution,
Which was agreed to.

Mr. Harris moved that the joint session proceed to vote for a United States Senator;
Which was agreed to.

And the joint session proceeded to vote for United States Senator.

The roll of the Senate was called, and the vote was:

For Stockton—Messrs. Adams, Bailey, Barber, Blitch of 21st, Broome, Crosby, Palmer of 14th, Roberts, Thomas and Williams—10.

For Chipley—Mr. President, Messrs. Bynum, Chipley, Clark, Daniel, Dimick, Dougherty, Fuller, Gaillard, Hart-ridge, Hooker, Myers, Palmer of 11th, Peacock, Reeves and Wadsworth—16.

For Hocker—Messrs. Carson, Darby, Hendley, McLin and Phipps—5.

For Burford—Mr. Blitch of 20th—1.

Total number of votes cast, 32.

The roll of the House of Representatives was called, and the vote was:

For Stockton—Messrs. Ayer, Baker, Bates, Bethel, Blanton, Bunch, Burnsed, Canty, Carlisle, Carter, Dupree, Dyal, Frisbee, Hendry of Taylor, Lamar, Lewis, Linton, McCreary, Mobley, Morgan of Hamilton, Pelot, Pope, Rawls, Rouse, Shepard of Liberty, Stockton, Wall of Bradford, Wall of Putnam, Ward, Wilson and Wolff—31.

For Chipley—Mr. Speaker, Messrs. Baggett, Ballentine, Chaires, Christie, Cobb, Cox, Dees, Ellis, Fielding, Hardee, Harris, Hendry of Lee, Hyer, McCall, Owens, Pedrick, Potter, Rice, Richbourg, Robertson, Shepard of Orange, Spencer, Stanford, Street, Thayer, Turner, Watson, Whitner, Williams and Young—31.

For Hocker—Messrs. Fulton, Register, Sloan and Zewadski—4,

For Blank—Mr. Morgan of Putnam—1

Total number of votes cast, 67.

Previous to commencing the ballot for United States Senator, Mr. Myers withdrew the name of Hon. George P. Raney for that office.

In explanation of his vote, Mr. Lamar was allowed to have the following printed in the Journal:

MR. PRESIDENT:

I have voted since the beginning of this contest for the

Hon. Geo. P. Raney. I had hoped that his election was feasible. Now that he has retired, I shall vote for another candidate. Mr. President, were it not for my relations to Judge Raney, I know that great numbers of the people of Jefferson county would have petitioned me to vote for Senator Call while he was a candidate. Mr. Stockton takes the place of Senator Call, being the nominee of his caucus. I feel that if I cast my vote for him, I, in effect, will be voting for Senator Call and paying deference to the wishes of these people in my county. I therefore cast my vote for Mr. Stockton.

The Secretary announced that thirty-two (32) votes in the Senate, and sixty-seven (67) in the House, making a total of ninety-nine (99) votes, had been cast.

The President announced that the following gentlemen had received the number of votes opposite their respective names:

Jno. N. C. Stockton, 41;

W. D. Chipley, 47;

W. A. Hocker, 9;

R. A. Burford, 1.

Blank—1.

And that no one having received the majority of votes cast as required by law, that there was no election of United States Senator.

Mr. Harris moved that the joint session proceed to take another ballot for a United States Senator.

Mr. Darby moved that the joint session do now adjourn.

The yeas and nays were demanded.

Upon call of the roll, the vote was:

Yeas—Messrs. Adams, Bailey, Barber, Blitch of 20th, Blitch of 21st, Broome, Carson, Crosby, Darby, McLin, Palmer of 14th, Phipps, Roberts, Thomas and Williams—15.

Nays—Mr. President, Messrs. Bynum, Chipley, Clark, Daniel, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hooker, Myers, Palmer of 11th, Peacock, Reeves and Wadsworth—16.

Upon call of the roll of the House, the vote was:

Yeas—Messrs. Ayer, Baker, Bates, Bethel, Blanton, Bunch, Burnsed, Canty, Carlisle, Carter, Chaires, Dupree, Dyal, Frisbee, Fielding, Fulton, Hendry of Taylor, Lamar, Lewis, Linton, McCall, McCreary, Mobley, Morgan of Hamilton, Pelot, Pope, Rawls, Register, Rouse, Shepard of Liberty, Sloan, Stockton, Wall of Bradford, Wall of Putnam, Ward, Wilson and Wolff—37.

Nays—Mr. Speaker, Messrs. Baggett, Ballentine, Christie, Cobb, Cox, Dees, Ellis, Hardee, Harris, Hendry of Lee, Hyer, Morgan of Putnam, Owens, Pedrick, Potter, Rice, Richbourg, Robertson, Shepard of Orange, Spencer, Stanford, Street, Thayer, Turner, Watson, Whitner, Williams, Young and Zewadski—30.

Total yeas, 52.

Total nays, 46.

The motion to adjourn was agreed to.

Thereupon the joint session stood adjourned until 12 o'clock to-morrow.

1:20 O'CLOCK.

At 1:20 p. m. the Senate resumed its session.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Messrs. Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hart-ridge, Hendley, Myers, McLin, Palmer of 14th, Peacock, Phipps, Reeves, Roberts, Thomas and Williams—27.

A quorum present.

Mr. Blich of 20th moved that the Senate take a recess until 4 o'clock this afternoon.

Mr. Chipley moved that the Senate do now adjourn until 10 o'clock to-morrow morning;

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock to-morrow morning.

FRIDAY, MAY 14, 1897.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Messrs. Adams, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark